HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

Notification No. HMA 18 MNT 76

Bangalore, dated, 21st October 1976

G. S. R. 356.—Whereas, a draft of the rules further to amend the Karnataka Planning Authority Rules, 1965, was published as required by Section 74 of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) in Notification No. G.S.R. 324 (HMA 13 MNT 74) dated 5th November 1975 in part IV Section 2 C (1) of the *Karnataka Gazette* dated 13th November 1975 inviting objections and suggestions from all persons likely to be effected thereby on or before 6th December 1975;

Whereas, the said Gazette was available to the public on 13th November 1975;

Whereas, objections and suggestions received on the said draft, have been considered by the State Government;

Now, therefore, in exercise of the powers conferred by Section 74 of th Karnataka Town and Country Planning Act 1961 (Karnataka Act 11 of 1963) the Government of Karnataka hereby makes the following rules, namely:—

RULES

1. **Title and Commencement:**—(1) These rules may be called the Karnataka Planning Authority (First Amendment) Rules 1976.

(2) They shall come into force at once.

2. **Insertion of new Rules 9 A and 9 B:**—In Chapter II of the Karnataka Planning Authority Rules; 1965 (hereinafter referred to as the said rules), after rule 9, the following rules shall be inserted, namely;—

"**9 A. Travelling and Daily Allowances:**—The Karnataka Travelling Allowance Rules, 1957 regulating the payment of travelling allowance to non-official members of councils, committees, conferences and other bodies constituted under the authority of the Government shall be applicable for payment of travelling and daily allowance to the non-official members of the Planning Authority and special invites to associate with the Planning Authority and for the purposes of the said rules the Planning Authority shall by deemed to all under list 'A' referred to in rule 8 of the said rules.

9. B **Association of Persons with Planning Authority:**—(1) The Planning Authority may associate with itself under sub-section (1) of Section 4 F any person residing within the local planning area by inviting him to attend in person the meetings of the Planning Authority for tendering his advice for the purposes specified in sub-rule (2). If the Planning Authority desires to associate with itself a person is required for more than three meetings the said Authority

shall after passing a resolution with two-thirds majority to that effect obtain prior permission of the Government.

(2) The planning Authority may associate with itself a person for the purpose of assistance or advice in architectural control, planning techniques, traffic and transport proposals for industrial location, public and semi-public institutions, alignment of roads and high ways and for such other specialised purposes which may be considered necessary.

3. **Amendment of Rule 34:**—In rule 34 of the said rules:—

(1) in the heading for the word and figures "Section 11" the words and figures "Section 11,20 or 27" shall be substituted;

(2) for the word and figure "shall be given under Section 11" the words and figures "in Form No. VII shall be given under section 11, 20 or 27" shall be substituted.

4. **Amendment of Rule 36:**—After sub-rule (1) of rule 36, the following sub-rule shall be inserted, namely;—

"(2A) The Planning Authority may levy a fee specified in column (2) of Table below for the purposes specified in column (1) thereof,

TABLE

	Purposes (1)	Rate of Fee (2)
1	Scrutiny of layout plans and designs and effecting modifications.	One-fourth paise per square meter of land,
2	Supply of copies of Plans or maps,	Eight rupees per square meter of plan".

5. **Amendment of Rule 37:**—In rule 37 of the said rules:—

(1) in the heading for the word, figures and brackets "Section 17 (4)" the words, figures and brackets "Section 15 (4) or 17 (4)" shall be substituted;

(2) in sub-rule (1), after the word "under" the words brackets and figures "sub-section (4) of Section 15 or" shall be substituted.

6. **Insertion of New Rule 37 A:**—After rule 37 of the said rules, the following rule shall be inserted, namely:—

"37A. Fees to be levied in certain cases of permission for change in the use or development of land or building.—

(1) For the purpose of sub-section (1) of Section 18 the Planning Authority may levy a fee, not exceeding one-third of the estim-

ated increase in the value of the land or building as specified in the Table below, namely.—

TABLE

1.	A city or town with a population of ten lakhs and above.	Twenty rupees per square meter of land.
2.	A city or town with a population of one Lakh and above but less than ten Lakhs.	Ten rupees per square meter of land.
3.	A city or town with a population of fifty thousand and above but less than one Lakh.	Five rupees per square meter of land.
4.	A city or town with a population of twenty thousand and above but less than fifty thousand.	Two rupees per Square meter of land.
5.	A city or town with a population of less than twenty thousand.	One rupee per Square meter of land.

(2) The Planning Authority shall serve a notice in Form No. VIII by Registered post acknowledgement due to the applicant indicating the amount of fee payable by him which shall be paid within ninety days from the date of receipt of the said notice. Provided that the planning authority may, on application made in this behalf, for reasons to be recorded in writing, extend the period for payment to such further period not exceeding nine months, as it consider necessary.

(3) An appeal under sub-section (2) of section 18 may be filed within ninetydays from the date of receipt of notice under sub-rule (2).

(4) Increase in the value of the land or building for the purpose of sub-section (1) of Section 18 shall be estimated taking into consideration the increase in the market value of and increase in the income from the land or building as a result of the change in the use or development thereof. For the purposes of determining the market value of and income from the land or building, the value and income from similar lands and buildings with similar environmental conditions and use in the neighbourhood shall be taken into consideration.

7. **Insertion of new Chapter VIII** :—After Chapter VI of the said rules, the following Chapter and rule shall be inserted namely :-

"CHAPTER VII"

Miscellaneous:

40. **Appointment of Officers and Employees** .—(1) No post the maximum of the scale of pay of which exceeds Rupees 350 shall be created without the previous sanction of the Government and appointments to such posts shall be made in consultation with the Karnataka Public Service Commissioner.

Provided that a person belonging to any of the Civil services of the State may be appointed either by transfer or on deputation to any posts under the Planning Authority with the prior approval of the Government in the case of the Government in the case of Class I or II officers and with the prior approval of the Head of the Department concerned in other cases.

(2) The scales of pay methods and qualifications for recruitment and other terms and conditions of services of officers and employees of the Planning Authority shall be the same as those applicable to the holders of corresponding categories of posts in the Department of Town Planning or other relevant departments of the Government of Karnataka.

Provided that the officers and members of the Planning Authority shall not be eligible for pension".

8. **Insertion of new Forms VII and VIII.**—After Forms of the said rules the following forms shall be inserted namely.—

FORM VII

(See rule 34)

Notice is hereby given for the information of Sri/Smt/Mrs. .... the owner/the occupier/the person interested in the land .... under section 11/20 Rs. 27 of the Karnataka Town and Country Planning Act 1961, that the Planning Authority intends to enter upon, survey and mark out details of the land on ... and do all things required for the preparation of Outline Development Plan/Comprehensive Development Plan/Town Planning Scheme for ... . Planning Area.

Office. Chairman,

Seal.

FORM VIII

(See rule 37 A (2)

Notice of Recovery of Fee

Notice, under Section 18 (1) of the Karnataka Town and Country Planning Act 1961, is hereby given to Sri/Smt/Mrs .... the applicant, to pay of fee of Rs..... only (in words .....only) within 90 days from the date of receipt of this notice for the grant of permission for change in use/development of land/building at.....

Office Chairman.

Seal.

By Order and in the name of the Governor of Karnataka,

K. B. DESHPANDE,

Under Secy. to Govt., Health and Municipal Admn. Dept.